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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to Examiner Ram Shukla at (703):08-4242, Art Unit 1632, U.S. Patent and Trademark Office, Washington, D.C. 20231 on the date indicated above.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Robert Horvitz et al.

Art Unit: 1632

Serial No.: 08/984,178

Examiner: Ram Shukla

Filed: December 3, 1997

Customer No.: 21559

Title: CLONING, SEQUENCING AND CHARACTERIZATION OF TWO CELL DEATH GENES AND USES THEREFOR

Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. § 1.821(e)

The computer readable form in the instant application, U.S. Serial No. 08/984,178, is identical with that filed in application U.S. Serial No. 08/287,669 on February 28, 1996. In accordance with 37 C.F.R. § 1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application.

It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer readable form that will be used with the instant application. In accordance with the Office Communication on January 7, 2003, a paper copy of the Sequence Listing will be submitted by Express Mail

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for incorporation into the specification.

If there are any charges or any credits, please apply them to Deposit Account No.

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Respectfully submitted,

Date: January 8, 2003

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